

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION
No. 2:16-CV-00062-BR

Terry Lynn Butler,

Plaintiff,

v.

Margaret Ann Ballard,

Defendant.

Order

Plaintiff Terry Lynn Butler has filed a motion requesting a trial date. D.E. 9. This motion is premature as the time for Defendant Margaret Ann Ballard to file an answer has not expired and the parties have not engaged in discovery. The court will set a trial date after the parties have had the opportunity to engage in discovery and motions for summary judgment, if any are filed, are ruled upon. Therefore, this motion is denied.

Additionally, Butler has submitted several blank subpoenas, which the court presumes he would like the Clerk of Court to execute and return to him. D.E. 6, 11. However, the proposed subpoenas fail to comply with the requirements of Rule 45 of the Federal Rules of Civil Procedure and the parties are not authorized to conduct discovery because they have not yet held a Rule 26(f) conference. Therefore, the Clerk of Court is directed to strike these documents from the docket.

Finally, Plaintiff has submitted a pleading captioned “Notice(s): Jurisdiction.” D.E. 12. The document is not signed by Butler as required by Rule 11(a). *See* Fed. R. Civ. P. 11(a). Moreover, this document does not appear to be a pleading, motion, or other filing authorized by

the Federal Rules of Civil Procedure. Therefore, the Clerk of Court is directed to strike this filing from the docket.

SO ORDERED.

Dated: October 7, 2016

A handwritten signature in black ink, reading "Robert T. Numbers, II". The signature is written in a cursive, flowing style with a horizontal line at the end.

Robert T. Numbers, II
United States Magistrate Judge